

The Nature Conservancy of MD/DC  
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January 18, 2008

Mr. Kevin Brandt  
Superintendent, C&O Canal National Historical Park  
1850 Dual Highway, Suite 100  
Hagerstown, Maryland 21742

RE: Scoping Comments for EIS - Georgetown University boathouse proposal, NPS project 15645

Dear Superintendent Brandt,

The Nature Conservancy of Maryland/DC ("TNC") thanks you for your consideration of our comments for the public scoping period to assist the National Park Service ("NPS") in their development of an Environmental Impact Statement ("EIS") regarding a proposed land exchange of NPS land with Georgetown University ("Georgetown") land and their proposed construction of a private boathouse facility within boundaries of the C&O Canal National Historical Park.

The National Park Service is faced with a particularly complex set of issues surrounding the proposals, and is required to consider historical, environmental, and social impacts with equal consideration. We have outlined some of the issues we believe NPS should consider in their preparation of the EIS. We also encourage Georgetown to closely consider these issues in light of their desires and requests to improve rowing facilities and conditions on the Potomac River while balancing the environmental benefits of undeveloped riparian habitats for the health of the Potomac River and Chesapeake Bay.

We recognize the need and desire of rowing programs in the Washington metropolitan area to improve facilities and river access under the burgeoning popularity of the sport. Yet built facilities on the Georgetown riverfront upstream of Key Bridge, including boathouses, represent a direct loss of riparian habitats that support the flora and fauna that not only are our natural heritage but also filter stormwater heading towards the River and Chesapeake Bay, and displace trees and vegetation that clean the air for the residents of Washington, D.C. and Arlington, VA. Many sites exist along the waterfront in the District and in VA where native flora and fauna have already been displaced by the built environment, and these are the locations where consideration should be given for new structures, not areas that are currently supporting native vegetation and nesting and foraging habitats for wildlife such as the areas upstream of the Key Bridge within the C&O Canal National Historical Park.

Georgetown would like to exchange an area of land and right-of-way within the park that is prohibitive to virtually any type of building, for an area of land that suits their desire for a state-of-the-art full-amenity boathouse to improve their rowing program, which would be private and limited to Georgetown use exclusively. Such a facility is not within the public interest, and therefore should not be considered by the National Park Service on lands they own, or within their jurisdictional boundaries. The C&O Canal NHP protects of over 180 miles of contiguous natural habitat, and the lands under consideration are part of this important habitat. The NPS land in question happens to be part of the gateway into this National Park from Washington, D.C., and should be preserved under NPS historical and natural protection, celebrated, and interpreted as such, not exchanged for private interests.

While the Environmental Assessment (“EA”) for this proposed land exchange recognized that much of the NPS parcel has historically been disturbed, it exists today in a natural state, and the value of urban natural areas cannot be understated, for their value not only to wildlife, but to the residents of the surrounding area. If urban natural areas were looked upon as areas worth developing, the entire of Rock Creek Park, much of the Canal lands, the Anacostia Riverfront, Dyke Marsh, and many other natural areas in D.C. would disappear. Why the edges of these natural areas, such as the area in question, should be infringed upon, cannot be justified. Georgetown should be working with landowners to locate rowing facilities on existing, developed waterfront areas in the District or across the river, even if this involves shuttling rowers to facilities, reducing or dividing facilities into separate buildings, or doing without facilities such as a kitchenette or large indoor rowing tanks to accommodate a smaller building.

Georgetown cites the need for a larger facility to accommodate, for example, large indoor rowing tanks on site to demonstrate rowing skills off the river. For decades, college champions have rowed out of facilities like the small boathouses on the Schuylkill River without direct access to indoor tanks. Champion teams for Georgetown have operated for years out of Thompson’s Boat Center without such tanks. The University should consider, in the complexity of their appeals for a new facility on the river, their need to have such amenities, if they can already be champions without them. If the proposed land exchange were to happen, the National Park Service and University should by all means negotiate a much, much smaller facility on site.

In preparation of the EIS, we urge the Park Service to also consider the following:

- A. The EA is also outdated by 12 years now, and decisions rendered within it should no longer be considered accurate or valid. Any new studies or decisions regarding wetland delineation, mature tree sizes, vegetation and wildlife surveys, etc. should be considered outdated and begun from scratch. This includes, but is not limited to, the federal wetland delineation, submerged aquatic vegetation (SAV) investigation studies, and plant surveys.
- B. It is not in the public interest to exchange National Park Service lands for land owned by private interests without full consideration of the value of the lands in question towards furthering the mission of NPS and public benefit. Exchanging a site that is more suitable for development for a boathouse in exchange for the

protection of an undevelopable parcel of land owned by the University makes little ecological or economic sense. The parcel of land owned by Georgetown University not only has viable and healthy natural resources, it likely contains federal wetlands, historic resources, rare species, large trees, is prohibitively narrow, and would create enough public opposition to development that it could not accommodate a boathouse anyway. Georgetown should consider it in the public interest to protect their land, as well as public parkland, from development, and should consider transferring their parcel and right-of-way to the National Park Service.

- C. Any proposed land exchange between the government and a private interest should include full appraisals of fair market value of properties, and not consider one to one exchange of acreage. The EIS must include full appraisals and consider whether either party should be subject to additional consideration associated with an exchange of properties.
- D. Georgetown University submitted a zoning application in 2003 for NPS parcel 100-114 and the D.C. Zoning Commission approved special exceptions, a variance, and a map amendment to their zoning districts in response. It would seem that since parcel 100-114 is not yet subject to District zoning, as it is currently subject to federal regulations, the District has preemptively granted special exception rights to a private interest on land not owned by that interest, prior to their acquisition of the land, without proper surveys, and without knowledge of whether this land would be subject to easements or restrictions that may be imposed by the federal government or D.C. Department of the Environment. NPS should not factor in city zoning considerations when determining the value of a land exchange with Georgetown.
- E. The NPS property, 102-114, which has been proposed for a land exchange, is not suitable for any building construction, based on the following reasons, divided into biological resources, cultural resources, and infrastructure, visitor experience, and safety considerations:

Biological resources:

- i. The landscape is within the 100-year floodplain. This land is subject to being inundated with waters that can rise over 9 to 11 feet above current land grades. Such lands should not be considered for any type of new development, as their existence not only interferes with the flooding regime of the river, but flood damage can create costs and burdens to taxpayers and residents, who must support clean-up, security, and infrastructure repairs. The EIS should consider and further explore the implications that this land is within a FEMA-designated Special Flood Hazard Area.
- ii. Floodplain environments support a diversity of species, and while this land was once open river habitat and is partially covered in filled soils, it has succeeded into floodplain forest, and has evolved to support a variety of floodplain species. Contrary to 1995

documentation of the dominance of invasive species on this site, for several years The Nature Conservancy, along with many hours contributed by volunteers and members of the C&O Canal Association and Washington Canoe Club (“WCC”), have been working to remove the invasive bush honeysuckle and English ivy, along with other invasive plants, and are continuing to do so, actively restoring this site to encourage native tree regeneration.

- iii. This landscape currently provides nearly contiguous tree cover, and these trees provide an invaluable service to cleansing the air for the residents of the District, provide food and shelter for wildlife and migrating birds, reduces the urban heat island effect by cooling the landscape, and provides habitat, shelter, food, and shade for aquatic species at the waters edge.
- iv. While the Army Corps did not designate the wetlands in this area in 1995 as federally protected wetlands due to their artificial construction, their investigation dated July 11, 2005, and an independent wetland study and submitted with the EA did determine that much of the parcel is covered by wetlands. Even without federal protection, wetlands of any type provide landscape services such as filtering and slowing stormwater runoff, providing habitat and food for wildlife, providing breeding habitat for amphibians, and opportunities for native trees and vegetation that need wet soils to grow to flourish. This vegetation is likely providing a service to cleaning these fill soils of any heavy metals, toxins, or contaminants that otherwise could end up leaching directly into the Potomac River. If indeed some of the area is subject to leaking sewer pipes, this is all the more important to filter these waters before they reach the river. In addition, the Army Corp’s field inspection was conducted in 1995, failed to recognize the FEMA Special Flood Hazard area or note the 100-year floodplain elevation, and after 13 years it is recommended that a request be made for this EIS for a complete, updated wetland delineation from the Corps and D.C. Department of Environment.
- v. This landscape is at the beginning (and terminus) of over 180 miles of contiguous natural habitat under federal, state, and community protection. Intrusions into this habitat reduce the function of such a large protected corridor of wildlife and natural habitat. It is also within the Potomac Gorge, an area of parkland extending to above Great Falls, known for its ability to support one of the densest concentrations of rare plants and rare plant communities in the nation. Within short distance of this site are rare plants which not only could and may be colonizing this site, but rely increasingly on a limited area of protected habitat. Also, as urban areas become more hospitable and necessary for wildlife, the mammals, birds, reptiles, amphibians, and insects can and are colonizing this area.
- vi. Construction of a boathouse on either parcel would include a widening of the Capital Crescent trail by up to 12 feet. This would include removing hundreds to thousands of trees, especially if the

University intends to build upon their parcel upstream, and loss of all other natural features in this cleared area, requiring restoration and mitigation of many acres and long term impacts to the landscape.

Cultural resources:

- i. The Georgetown Waterfront Park boundary designation in 1984 in and Plan of 1987 by the National Capital Planning Commission was made without public review. It should therefore not be considered a valid document for allowing for the development of boathouses on public land in this area. It should also be recognized that this plan is now over two decades old, and prior plans or intentions of former planners should not be accepted without review and current reflection on the plan and its intent. In 1988 the National Park Service acquired the land that includes parcel 102-114, which in turn protected it under the legislation governing the C&O Canal National Historical Park under the Department of Interior. This in turn might be legislation that has greater authority over the designations granted by the National Capital Planning Commission. We would ask that the EIS investigate the relationships of the designation and Congressional jurisdictions to determine the validity and authority of the Georgetown Waterfront Plan and include a review of the plan in conjunction with the mission and mandates of the C&O Canal NHP along with public review.
- ii. Additionally, if considered valid, the Georgetown Waterfront Plan states that “boathouses on land would be appropriate provided public boating use of the facilities is always available”, intending that newly constructed boathouses not be entirely private or exclusive.
- iii. The boathouse would considerably disrupt the historic setting of the C&O Canal due to its intrusion into the scenic viewsheds and interjection of new and historically unprecedented uses of the landscape. Any construction here would also likely include a substantial amount of lighting for safety, which would also change the cultural landscape. From the canal towpath there is only a small strip of land between the towpath and parcel 102-114. The Washington Canoe Club has been a part of the historical landscape of the canal since in some form it has existed since the canal was in operation, and should not be used as a basis for adding additional boathouses in the area. Since Congress designated the boundaries a National Historical Park in 1971 and acquired 34 acres of railroad property in this location in 1988, there have been no buildings built near this site. It has been since maintained and managed as mandated by the enabling legislation that created the National Historical Park. Historical structures or boathouses that existed on the land prior to the canal, or establishment of the Park, should not be a precedent for the construction of new structures that do not represent or interpret the historic features of the Canal.

- iv. The Washington Canoe Club building is a historic structure, and the construction of a boathouse next to it will not only affect its historical setting, but could threaten its security in the event of floodwaters that could wash away infrastructure from a new facility just upstream, as well as be threatened by floodwaters that could eddy on the downstream side of a massive building such as the ones proposed. Floodwaters and ice flows constricted between the building and towpath embankment could increase sheer velocities of flood waters and ice flow impacts. Contrary to the EA's findings that ice flows are no longer a problem on the river since the construction of upstream dams, spring ice flows can be common on the river's edge when river levels rise underneath frozen surfaces and break up the ice, which can move down stream at swift velocities. This ice causes damage to trees, banks, and structures in its path, and can act as a debris dam in constricted locations. Any hydrologic studies should consider the possibility for flood waters eddying downstream of a new building of this size, ice flows, sheer flood velocities, and their effect on the Washington Canoe Club, as well as the canal embankment and historic aqueduct. The same studies should be made of eddying impacts on the river shoreline below the year-round boathouse docks.
- v. Georgetown's parcel 102-109 is located in an area that not only contains cultural resources of the canal (remnants of the historic canal incline plane) but also historically did not support any buildings. The soils are intact and unaltered, and the vegetation is native, representing a landscape that would have preceded the canal, and may have persisted as such during the operation of the canal or revegetated naturally after canal operations ceased.

Infrastructure, visitor experience, and safety considerations:

- i. Both parcel 102-114, and Georgetown's parcel 102-109 are in locations that would be unsafe for the rowing community and the public. Areas within the park here are subject, particularly at night, to crime, and are remote enough to make crimes more difficult to report or respond to. Even with the substantial lighting that the boathouse would need for safety for its users in early morning and evenings, the facility and docks can become an attractive nuisance and provide unsafe areas tucked away from the public eye. Rowers and coaches in particular must sometimes arrive or leave the boathouse in the dark, and areas around the around the any buildings and also routes to and from these locations can become unsafe. This will also increase the burden on Park law enforcement, U.S. Park Police, and D.C. Metropolitan police to patrol and respond to a private facility.
- ii. Infrastructure development to either of these parcels requires intrusion through park lands that would require digging, trenching, road ways, and other disturbances to park lands not directly on the parcels. Such disturbance is not in the public interest of lands

currently under park protection, and would be disruptive to recreational users during construction and when repairs are needed. Additionally, construction on either of these parcels would impinge upon the needs of many thousands of recreational users and bike commuters along the towpath, Capital Crescent Trail (“CCT”), and park lands. These two paths are among the most heavily used in the District.

- iii. Operations of a boathouse of this size, whether private or public, involves transporting very large boats on trailers or by foot (an 8-person rowing shell requires over 60 feet to turn around, and on a truck with trailer is quite a remarkable size to maneuver), vehicles for trash removal, deliveries, catering service, safety, repair, emergency, and other vehicles coming and going from the site. Currently traffic on the CCT is limited to emergency vehicles, police patrols (typically on horse or motorcycle), and occasional maintenance vehicles. Addition of any amount of traffic on the trail and traffic moving in and out of the boathouse would only interfere further with users of the trail. Additionally, the necessary widening of the CCT to accommodate these vehicles would damage and destroy trees, vegetation, habitat, and park lands that have been long restored or protected in the public interest, as well as reduce much needed shade for users of the CCT.
- iv. Users of the CCT in this area would experience and altered experience of the trail. Currently upstream of the Washington Canoe Club, trail users experience a treed, riparian floodplain habitat, contiguous until Fletchers Boathouse, as do users of the parallel towpath. Intrusion of a boathouse and associated uses would greatly alter this experience by increasing the width of the trail by 12 feet during construction, clearing that area of all vegetation and reducing tree canopy over the trail.
- v. Boathouses, particularly on a race day, near a racing course, attract many visitors and spectators, who could adversely impact the natural landscape near the boathouses by searching for and using the river shorelines, trampling, destroying, and clearing vegetation. Rowing facilities are also not entirely non-motorized, as motorized craft carry coaches, chase boats, and officials during the races. Currently there are no private motorized boats launching from C&O Canal NHP shorelines within the District, and this impact should be considered. The Potomac River Safety Committee recommends one launch per any three 8-person shells on the river, and that they be large enough to seat the entire 9-person crew in the event of an emergency. Therefore, these are not small motor boats, require significant amounts of fuel (creating a flood, fire, and toxic spill hazard, as well as requiring fuel delivery and storage facilities) and their noise levels must be considered.
- vi. Construction of a boathouse on NPS parcel 102-114 would interfere with access and river routes for the Washington Canoe Club. The WCC has been in existence since 1904 and has

historically established canoe courses on the river, as do the rowers. The proposed boathouse dock would render the canoe race course ineffective by being built directly over the canoe course route, and would force canoeists into waters farther into the river that can become unsafe for these smaller boats, as well as canoes and kayaks heading out and back from Jack's Boathouse and farther downstream. Canoeists may also have to venture even further into the swifter currents of the river when maneuvering around rowing shells coming and going in numbers from the new docks. The EIS needs to consider the needs and established routes of other boaters on the river.

- F. This EIS should consider that the University can explore alternative locations for boathouses not on or within naturalized NPS land along the Potomac, and should consider the size of a new boathouse to fit the historical, cultural, and natural landscape, rather than forcing a boathouse onto a site that cannot accommodate the size and infrastructure.
- G. If NPS ultimately must agree to a land exchange for a boathouse, then the University should not be granted the right to have a private facility within the park. Rather, the exchange should include the agreement that the University would provide shared public facilities within the boathouse, including, for example, boat storage, launch facilities, and bathrooms. Under such an agreement NPS and the University could negotiate a concessionaire's agreement. Any such proposals should require public review and comment.

Thank you for your consideration of our comments.

Sincerely,

Mary Travaglini  
Potomac Gorge Habitat Restoration Manager